

UNITED STATES DISTRICT COURT

SOUTHERN

DISTRICT OF

TEXAS

UNITED STATES OF AMERICA

V.

United States District Court
Southern District of Texas
FILED

Elpidio CORTEZ Jr.
United States Citizen
YOB: 1968

JUN 04 2015

Clerk of Court

CRIMINAL COMPLAINT

Case Number: M-15-0896-M

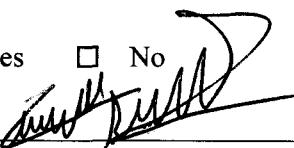
I, Christopher Sullins, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about June 3, 2015 in Hidalgo County, in the Southern District of Texas the defendant(s) did,

Knowing or in reckless disregard of the fact that Balmore RAMOS-Alvarenga, a citizen and national from El Salvador, Vilma RAMIREZ-Melendez, a citizen and national from El Salvador, and fifteen other undocumented aliens had come to, entered, or remained in the United States in violation of law, conceals, harbors, or shields from detection, or attempts to conceal, harbor, or shield from detection, such alien in any place, including any building or any means of transportation;

in violation of Title 8 United States Code, Section(s) 1324.
I further state that I am a(n) Special Agent and that this complaint is based on the following facts:

See Attachment "A"

Continued on the attached sheet and made a part of this complaint: Yes No


Signature of Complainant

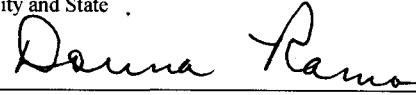
Christopher Sullins, HSI Special Agent
Printed Name of Complainant

Sworn to before me and signed in my presence,

June 4, 2015
Date

U.S. Magistrate Judge Dorina Ramos
Name and Title of Judicial Officer

at McAllen, Texas
City and State


Signature of Judicial Officer

Attachment "A"

On June 3, 2015, at approximately 7:50AM, Special Agent (SA) Christopher Sullins of Homeland Security Investigations (HSI) was contacted by Border Patrol Agent (BPA) Hugo Rodriguez in regards to seventeen (17) undocumented aliens that were discovered on a traffic stop by the Texas Department of Public Safety (DPS) in Edinburg, Texas.

At approximately 6:02AM, DPS Trooper J. Garza conducted a traffic stop on a white 2008 Dodge Ram pickup truck (with Texas license plates FRL 5320) for driving on an improved shoulder. The Dodge Ram was pulling a flatbed trailer which had an expired license plate. On the flatbed trailer were four port-a-potties (portable restrooms). Trooper Garza noticed the driver of the Dodge Ram, Elpidio CORTEZ Jr seemed nervous, and could not provide the Trooper with the owner of the vehicle. Trooper Garza received verbal consent from CORTEZ to search the back of the trailer and the port-a-potties. Trooper Garza then noticed people inside a port-a-potty, and detained CORTEZ until the United States Border Patrol (BP) arrived on the scene.

Seventeen persons were found inside the four port-a-potties. BPA Castillo conducted an immigration interview on the seventeen subjects, all of whom stated that they were in the U.S. illegally without proper or legal documentation to remain in the United States.

Special Agent Sullins and BPA Resendez made the Weslaco, TX DPS station to interview CORTEZ. In post Miranda statements CORTEZ stated he had picked the vehicle/trailer up at La Vista and 23rd (McAllen, TX), where it had been left with the keys under the driver seat. CORTEZ stated he did not look in the port-a-potties, and did not ask what may be in the vehicle or trailer. CORTEZ stated that he thought there may be drugs in the trailer. CORTEZ stated that he as "0 for 4" – as he had now been caught 4 times transporting illegal aliens. CORTEZ stated that an acquaintance he calls "Rayo" had asked him to drive the vehicle to Alice, Texas. CORTEZ stated that two of his previous detainments for alien smuggling where also situations where he was driving a vehicle for "Rayo".

Special Agent Sullins contacted the AUSA's office and presented the facts. The AUSA's office accepted federal prosecution on CORTEZ for violation of Title 8 USC 1324 (Harboring Illegal Aliens).